

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

GREGORY HANDLOSER, et al.,

Plaintiffs,

v.

HCL AMERICA, INC., et al.,

Defendants.

Case No. [19-cv-01242-LHK](#) (VKD)

**ORDER RE STATUS OF HCL'S
PRODUCTION OF ESI**

Further to the Court's telephone conference with the parties on April 22, 2020, the parties must take the following additional actions:

1. Plaintiffs must consider some means to prioritize the identification and production of ESI with respect to documents that are *critical* to the issues plaintiffs expect to address in their motion for class certification. By **April 27, 2020**, plaintiffs will provide to HCL suggestions for prioritizing HCL's review and production, such as by custodian, by document type, by search term, and/or by any other means. The Court expects plaintiffs to make specific proposals and expects the parties to discuss those proposals.

2. HCL must consider implementation of a review methodology that would permit it to screen a custodian's ESI for privileged documents (by means of search terms or other automated techniques) and to then produce the remainder of that custodian's ESI based solely on the application of agreed search terms. HCL must consider whether such review may be implemented for some or all custodians, and HCL's counsel must specifically discuss implementation of such review methodology with the client representative(s) of HCL responsible for making decisions about this litigation.

3. HCL must assess for each of the remaining 11 custodians identified pursuant to para. 2(a) of the Court's January 7, 2020 order (Dkt. No. 64), the volume of ESI (e.g. number of documents) that will need to be reviewed for each such custodian after application of the agreed search terms. HCL shall report on this assessment to the Court and to plaintiffs' counsel as soon as the information is available, but no later than **May 6, 2020**.

4. HCL shall produce the approximately 8,000 ESI documents from two custodians, to which it refers in its April 20, 2020 proposal (Dkt. No. 97), no later than **April 30, 2020**.

The Court will hold another telephone conference to discuss these matters on **May 8, 2020** at **2:30 p.m.** Please use the following information to join the call:

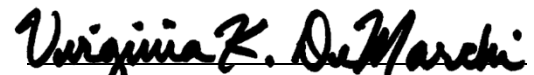
Dial in: (877) 848-7030
Passcode: 6982082

Lead counsel for each of the parties must participate in the call. HCL must also have the following participants on the call: (a) the attorney and paralegal most knowledgeable about HCL's document collection, review, and production (if not lead counsel), and (b) a representative of HCL's e-discovery vendor who can answer specific questions about the collection, processing, and production of HCL's ESI.

The conference will not be recorded or transcribed by a court reporter.

IT IS SO ORDERED.

Dated: April 22, 2020


 VIRGINIA K. DEMARCHI
 United States Magistrate Judge